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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 * * *

6 ROBERT FLUKER,

7 Petitioner,

Case No. 3:17-cv-00299-MMD-CLB

ORDER

8 v.

9 ISIDRO BACA, *et al.*,

10 Respondents.

11 In accordance with Rule 7 of the Rules Governing Section 2254 Cases, and to
12 facilitate the Court's review of the merits of the ineffective assistance of counsel claims
13 filed by habeas petitioner, Robert Fluker, the Court orders:


14 1. Within 30 days after the entry of this order, Respondents will:

- 15 a. manually file in the Reno Clerk's Office an exhibit, identified in
16 sequence as Exhibit No. 114, consisting of original certified
17 copies of four prior felony convictions in the same manner and
18 in the same form as would have been required to support an
19 adjudication that Petitioner was a habitual criminal under the
20 Nevada law applicable at Petitioner's sentencing hearing on
21 August 15, 2012 (see ECF No. 45 at 13);
- 22 b. designate and file as Exhibit 115, a photocopied version of the
23 manually-filed exhibit requested in Paragraph 1(a); and/or
- 24 c. alternatively, file under the next available exhibit number, an
25 affidavit or declaration executed by an individual with authority
26 and knowledge, stating the circumstances under which
27 Respondents are unable to file certified copies of all four prior
28 felony convictions.

2. Petitioner is directed to admit or deny the correctness of the exhibits referenced in above Paragraphs 1(a)–(b) within 14 days after the filing of the exhibits.

The Court has made no definitive determination whether it will expand and consider material beyond the existing state court record. This order is intended to facilitate an efficient resolution of the issues in a timely manner. To the extent possible, the Court seeks to conclude this matter by September 30, 2021. Requests for extensions of time are strongly discouraged. As such, extensions of time needed due to scheduling conflicts between this case and others filed in this District should be sought in the later-filed case, absent extraordinary circumstances.

DATED THIS 1st Day of July 2021.


MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE